

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED SPECIALTY INSURANCE
COMPANY,

Plaintiff,

V.

Z&J MANAGEMENT, LLC,
1294 PARK PLACE LLC,
1296 PARK PLACE PH LLC,
MARLY BUILDING SUPPLY CORP.,
MARLY BUILDING MATERIALS, INC.,
MARLY INDUSTRIAL CORP.,
TRIPLE C BUILDERS LLC,
NEW STYLE DEVELOPMENT INC.,
TIGRE HOME IMPROVEMENT CORP.,
ARSENAL SCAFFOLD INC.,
MANNY GUERRERO, CALIXTO LEDUC,
ANGEL PEREZ HERNANDEZ,
GLENDON JOHN, EMILIO MORALES, AND
PETER MARLEY.

Defendants.

WILLIAM F. KUNTZ, II, United States District Judge:

On February 17, 2025, the Honorable Magistrate Judge James R. Cho issued a Report and Recommendation (“R&R”) recommending Plaintiff’s motion for summary judgment be granted and Plaintiff’s motion for default judgment be granted in part and denied in part. *See* ECF No. 126.

Any objections to the R&R were to be filed on or before Monday, March 3, 2025. *See* 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(2). The parties filed no objections. The Court reviews an R&R for clear error where no objections have been filed. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007) (Garaufis, J.). The Court finds no such error here and adopts the R&R in its entirety.

The Court: (1) ENTERS judgment against Defendants Z&J Management, LLC, 1294 Park Place LLC, 1296 Park Place PH LLC, Marly Building Supply Corp., Marly Building Materials, Inc., Triple C Builders LLC, Tigre Home Improvement Corp., Arsenal Scaffold Inc., Manny Guerrero, Calixto Leduc, Angel Perez Hernandez, Glendon John, Emilio Morales, and Peter Marley; (2) DECLARES Plaintiff has no duty to indemnify or defend claims arising out of the actions brought by Manny Guerrero, Calixto Leduc, Emilio Morales and Peter Marley; (3) DECLARES Plaintiff may withdraw from the defense of Z&J Management, LLC; and (4) DENIES Plaintiff's motion for default judgment against Defendants New Style Development Inc. and Marly Industrial Corp.

SO ORDERED. 

s/ WFK

HON. WILLIAM F. KUNTZ, II
UNITED STATES DISTRICT JUDGE

Dated: April 1, 2025
Brooklyn, New York